

KENTUCKY BOARD OF RESPIRATORY CARE

MINUTES
October 21, 2021

The Kentucky Board of Respiratory Care held a meeting on Thursday August 19, 2021 via Zoom videoconference.

MEMBERS PRESENT

Tom Baxter, RRT, Chair
Ken McKenney, RRT, Vice Chair
Darrell Heckman, Citizen at Large
Chaitanya Mandapakala, MD
Scott Pettinichi, RRT
Mohamed Saad, MD

KBRC STAFF

Tamara G McDaniel, Executive Director
August Pozgay, Legal Counsel

Call to Order

Chair Tom Baxter called the meeting to order at 5:30pm.

Minutes

Mr. Heckman made a motion to accept the meeting minutes of August 19, 2021 with following changes: Page 1. Old Business 05b. change “Murphy” to “Murray”, Page 2. Agreed Orders- Compliant Cases Sabrina Williams #7488 change “Justin Smith” to “Sabrina Williams”, Page 3 Active Complaint Cases 3.Line 1 change “and” to “an”, Mr. McKenney seconded the motion. Motion carried unanimously.

Financial Statement

Ms. McDaniel presented the FY2022 year to date , financial report and budget report. She reported that the Board’s spending for the fiscal year to date is within the budget allotment for the first quarter. Ms. McDaniel presented a long range planning report to the Board.

Staff Report

Ms. McDaniel reported that the activities of the staff since the last meeting. Outside of daily activities, Ms. McDaniel and Mr. Rose have been working with KY Interactive on the new online renewal system and cloud based database. The database is projected to be ready in time for the November 1st renewal period to begin. Ms. McDaniel reported that she has been working on the proposed budget for FY22 and 24.

Old Business

05a. Limited Mandatory scope of practice-

Ms. McDaniel reported the results of the needs assessment . The assessment was sent out to 46 facility directors or managers and 16 responses were received. A similar assessment regarding skills and competency questionnaire was sent to educational program directors in Kentucky and any surrounding state who’s program has students licensed in Kentucky. The Board will review the results of the assessments and discuss at the December 9, 2021 meeting.

Closed Session

Mr. McKenney made a motion for the Board to go into closed session, pursuant to KRS 61.810(1) (c) and (j), to discuss proposed or pending litigation and to deliberate regarding individual adjudications. Mr. Heckman seconded the motion. The motion carried unanimously.

Mr. McKenney made a motion to come out of closed session; Mr. Pettinichi seconded the motion. Motion carried unanimously.

Agreed Orders – Compliant Cases

Tara Adams #8091

Ms. McDaniel reported that Tara Adams is compliant. No action on the case.

Stacey Colyer #5821

KYPRN reported that Stacey Colyer is compliant. No action on the case.

Brian Downey #5860

KYPRN reported that Brian Downey will have further testing and they will report to the Board at the December 9, 2021 meeting. No action on the case.

Brenda Monroe #8744

KYPRN reported that Brenda Monroe is compliant. No action on the case.

Deborah Muehlenbein #7248

Ms. McDaniel reported that Deborah Muehlenbein is compliant. No discussion or action on the case.

Ali Omar #8652

KYPRN reported that Ali Omar is compliant. No action on the case.

Justin Smith #8656

Ms. McDaniel reported that Justin Smith is compliant. No action on the case.

Sabrina Williams #7488

Ms. McDaniel reported that Sabrina Williams is compliant. No action on the case.

Active Complaint Cases

1. Complaint # KBRC-2020-1771

Ms. McDaniel reported that a Show Cause hearing was held on September 20, 2021. On October 15, 2021, the Administrative Hearing Officer issued a Recommended Order of Default Judgement for Revocation. The order is to be held for 15 days to wait for exceptions and will be brought back for vote at the December 9, 2021 meeting.

2. Kimberly Moore Agreed Order # KBRC-21-1636

Ms. McDaniel reported that Ms. Moore has until October 30, 2021 to respond to the offer of a second Agreed Order.

3. Compliant # KBRC-2021-6901

Ms. McDaniel reported that the Licensee has until October 30, 2021 to respond to the offer of an Agreed Order.

4. Marcus Allen – Appeal of License Denial

Ms. McDaniel reported that the Notice of Administrative Hearing has been processed.

6. Brett Holland- #6933- Complaint # 2021-KBRC-6933

Mr. McKenney made a motion to accept the Agreed Order of Voluntary Surrender signed by Brett Holland. Mr. Heckman seconded the motion. Motion carried unanimously.

7. Complaint # KBRC-2021-5925

Mr. McKenney made a motion to offer and Agreed Order with the following terms: 1. One year of monitoring through KYPRN, 2. One year monitoring of clinical practice through the KBRC executive director, 3. \$500 fine.

Applications

1. Timothy Handley –Mr. McKenney made a motion to deny the license application based on KRS 314A.225 (b). The motion was seconded by Dr. Saad. Motion carried unanimously.

2. RH # 9036 Mr. McKenney made a motion to grant the license without restrictions. The motion was seconded by Mr. Pettinichi. Motion carried unanimously.

3. AH #9036 Mr. McKenney made a motion to grant the license without restrictions. The motion was seconded by Mr. Pettinichi. Motion carried unanimously.

New Business

1. 2021 Special Session HJR 1

Ms. McDaniel reported that during the 2021 Special Session 21 SS HJR 1, approved the Board of Respiratory Care executive action as related to the Cabinet for Health and Family Services (“CHFS”) directive of August 18, 2021. This directive by CHFS issued ordered the Board of Respiratory Care to process volunteer health practitioner applicants.

2. Application Review

Ms. McDaniel reported that there were **68** Mandatory applications, of which **50** were Reciprocity applications, and **16** Limited Mandatory (student) applications. There were **3** application issues to report and discuss in Closed Session.

Mr. Heckman made a motion to ratify approval of all new applications except Timothy Handley. Dr. Saad seconded the motion. Motion carried unanimously.

The following **Limited Mandatory applications (16)** were approved: Kelsi Berry, Haley Berryhill, Shayna Collins, Twila Daniels, Kayla Ferguson, Megan Fields, Shay Hensley, Bethany Madden, Jasmine Milam, Tiffany Patrick, Marissa Rutherford, Mercedes Stewart, Bridget Templeman, Haley Tucker, Meredith Walters and Randa Williams.

The following **Mandatory applications (68)** were approved: David Adkins, Anastascia Allen-Johnson, Michelle Anderson, Selena Boyd, Ella Bradford, Crystal Brieno, Elizabeth Brink-Redman, Darnika Brown, Jessica Brown, Summer Brown, Courtney Burl, Albertine Cole, Thad Connally, Laila Cowell, Kristine Cox, Derek Craigmyle, Christy Crosthwaite, Andrea Davis, Rebecca Dearfield, Justine Edington, Wanda Fields, Essence Flakes, Alisha Fournier, Shirley Garner, Amy Hall, Misty Hassell, Ross Harper, Destiny Hays, April Helms, Benjamin Hoffman, Albert Johnson, Rebecca Juliano, Stephen Krofchik, Max La, Margaret Lavender, Daria Lundberg, Staci Mastin, Valerie Matteson, Curtis Melton, Dalton Meyer, Brandon Miller, Margaret Mollett, Whiney Niles, Taylor Pace, Rachel Provart, Jacob Pryor, Katelyn Ramsey, Steven Reimondo, Chirag Shah, Kimberly Smith, Levi Stroik, Misty Swanger, William Tanner, Norman Tomaneng, Diana Veldman, Pamela Wackler, Renee Whyte, Melissa Wiethorn, Jay Wight, Jessica Willhelm, Arletha Williams, Deneta Williams, Jack Wilson, Natalie Wolfe, Rebecca Woodard, Lydia Yearwood and James York.

Announcements

1. The next meeting will be held Thursday, December 9, 2021 at 5:30 p.m., EST
2. Mr. Pettinichi made a motion to approve the payment of per diem, compensation, travel at 44 cents per mile, and honoraria for board members. Mr. McKenney seconded the motion. Motion carried unanimously.
3. Mr. McKenney made a motion to adjourn the meeting. Mr. Pettinichi seconded the motion. Motion carried unanimously. Meeting adjourned at 8:45 p.m.



Thomas D. Baxter, Chair
KY Board of Respiratory Care